

From: Saxerman
To: Microsoft ATR
Date: 1/23/02 9:50pm
Subject: Microsoft Settlement

As per the Tunney Act, I would like to comment on the proposed Microsoft settlement. I find the Proposed Final Judgement (PFJ) rather weak when compared to the legal agility Microsoft has already displayed inside and out of the court room. A number of overly broad definitions in the PFJ would give Microsoft more than ample room to evade most if not all of the important restrictions on their anti-competitive practices. The most obvious definitions problems can be seen over the terms "API", "Microsoft Middleware", and "Windows".

For a more detailed list of problems with the PFJ I would recommend reading Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>).

Sincerely,

Michael Gill, Programmer/Analyst, OpenFirst